

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mitchell P. Fink, Luis Ulloa and Kevin J. Tracey

Continuation Application of

International Application No.: PCT/US02/08283

Filed: March 15, 2002

For: METHOD OF USING PYRUVATE AND/OR ITS DERIVATIVES FOR THE
TREATMENT OF CYTOKINE-MEDIATED INFLAMMATORY CONDITIONS

Date: <u>9/15/03</u>
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REMARKS

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of International application number PCT/US02/08283 filed on March 15, 2002 to which priority is claimed under 35 U.S.C. §120.

The related applications paragraph has been revised to include the parent application.

Original Claims 1 - 27 have been replaced with new Claims 1 - 31.

New Claim 1 is drawn to a method of treatment a cytokine-mediated inflammatory condition comprising a step of administering to a patient an effective amount of a composition comprising an ester of an alpha-ketoalkanoic acid. New Claim 1 includes subject matter of original Claim 1 and has been amended to recite specific inflammatory conditions. Support for this amendment is found in original Claim 25 and on page 2, lines 12-25 and page 14, lines 18-24 of the application as filed.

New Claims 2 - 4 include subject matter of original Claims 8 - 10.

New Claims 5 - 7 include subject matter of original Claims 12 - 14.

New Claim 8 includes subject matter of original Claim 17 amended to recite "ester" as in new Claim 1.

New Claims 9 - 15 include subject matter of original Claims 18 - 24.

New Claim 16 is drawn to a method of treatment a cytokine-mediated inflammatory condition comprising a step of administering to a patient an effective amount of a composition comprising a compound of Formula (I). New Claim 16 has been amended to recite substituents R_1 and R_2 as listed on FIG. 1A as filed.

New Claim 17 includes the subject matter of new Claim 16 and recites a composition "consisting essentially of" a compound of Formula (I) in a pharmaceutically acceptable carrier.

New Claim 18 includes the subject matter of original Claim 9.

New Claim 19 is drawn to methods of administration. Support for Claim 19 is found on page 13, lines 15 - 21 of the specification as filed.

New Claim 20 is drawn to a preferred embodiment of compounds of Formula (I). Support is found on page 5, line 25.

New Claim 21 is drawn to other preferred embodiments of compounds of Formula (I). Support is found on page 5, line 29 to page 6, line 4.

New Claims 22 - 23 are drawn to a preferred embodiment of compounds of Formula (I). Support is found on page 6, line 4.

New Claim 24 includes the subject matter of original Claim 4.

New Claim 25 includes subject matter of original Claim 17 amended to recite "ester" as in new Claim 16.

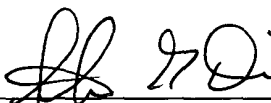
New Claims 26 - 27 include subject matter of original Claims 18 - 19.

New Claim 28 - 29 include subject matter of original Claims 21 and 22.

New Claims 30 and 31 include subject matter of original Claim 24 and 25.

Respectfully submitted,

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By 

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